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PTO/SB 05 (2-98)
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UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>		Attorney Docket No.	38-21(15444)C	
		First Named Inventor or Application Identifier		ABAD
		Title	Nucleic Acid Molecules and Other Molecules Associated with Plants	
		Express Mail Label No.		

APPLICATION ELEMENTS
See MPEP chapter 600 concerning utility patent application contents

1. ☒ *Fee Transmittal Form (Form PTO-1082)
(Submit an original and a duplicate for fee processing)

2. ☒ Specification [Total Pages 122]
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R&D
- Reference to Microfiche Appendix
- Background of the invention
- Brief Summary of the invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claims
- Abstract of the Disclosure

3. ☐ Drawing(s) (35 USC 113) [Total Sheets]

4. Oath or Declaration [Total Pages]

- a. ☐ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

5. ☐ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)

7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

- a. ☒ Computer Readable Copy
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))

9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)

10. ☐ English Translation Document (if applicable)

11. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations

12. ☐ Preliminary Amendment

13. ☒ Return Receipt Postcard (MPEP 503) (Two)
(should be specifically itemized)

14. ☐ *Small Entity Statement(s) ☐ Statement filed in prior application, Status still proper and desired

15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)

16. ☒ Other: Petition to Suspend Sequence Rules; Check No. 322236 in the amount of \$130.00

*NOTE FOR ITEMS 1 & 14. IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: /

Prior Application Information: Examiner: Group/Art Unit:

18. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

or ☒ Correspondence address below

(Insert Customer No. or Attach bar code label here)

NAME		Lawrence M. Lavin, Jr., Esq.			
		Monsanto Company			
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		800 N. Lindbergh Boulevard			
CITY	St. Louis	STATE	Missouri	ZIP CODE	63167
COUNTRY	US	TELEPHONE	(314) 694-3602	FAX	(314) 694-1671
Name (Print/Type)		Lawrence M. Lavin, Jr.		Registration No. (Attorney/Agent)	30,768
Signature		<i>Lawrence M. Lavin, Jr.</i>		Date	July 13, 2000

Bar Code, Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FILES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Applications, Washington, DC 20231.

David R. Marsh

July 13, 2000

Assistant Commissioner for Patents
Washington, D.C. 20231

Box Patent Application

jc857 U.S. PTO
09/615606
07/13/00

Re: U.S. Non-Provisional Utility Patent Application
Application No.: To Be Assigned
Filed: Herewith
For: **Nucleic Acid Molecules and Other Molecules
Associated with Plants**
Inventors: Mark S. ABAD *et al.*
Atty. Docket: 38-21(15444)C

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.
Patent and Trademark Office:

1. Utility Patent Application Transmittal (PTO/SB/05);
2. U.S. Utility Patent Application entitled:

Nucleic Acid Molecules and Other Molecules Associated with Plants

and naming as inventors:

**Mark S. ABAD, Robert E. BUEHLER, Joseph R. BYRUM, Brian E.
COOMBS, Gregory R. HECK, Thomas J. LA ROSA, Donald E. NELSON,
Hridayabhiramjam SHUKLA, and Michael D. THOMPSON,**

the application consisting of:

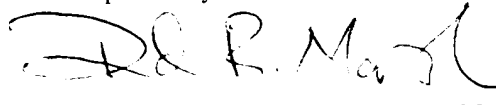
- a. A specification containing:
 - (i) 119 pages of a description prior to the claims;
 - (ii) 2 pages of claims (7 claims); and
 - (iii) a one (1) page abstract;
3. A CD-ROM containing the sequence listing;

4. Petition to Suspend Sequence Rules (in duplicate);
5. An Information Disclosure Statement;
6. Form PTO-1449 (1 page), with 8 accompanying documents;
7. Our Check No. 331069 in the amount of \$130.00 to cover the petition fee; and
8. Two (2) return postcards.

This application is being filed without an executed Declaration, and without payment of official fees.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

Respectfully submitted,



David R. Marsh (Reg. No. 41,408)

Enclosures

09/615606

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mark S. ABAD *et al.*

Appln. No.: To Be Assigned

Filed: July 13, 2000

For: Nucleic Acid Molecules and Other
Molecules Associated with Plants

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 38-21(15444)C



Petition to Suspend Sequence Rules

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Applicants hereby petition the Commissioner, pursuant to 37 C.F.R. § 1.183 and M.P.E.P. § 1002.02(c)(2), for a suspension of the requirements of 37 C.F.R. § 1.821 in the above-identified application. In particular, Applicants request suspension of the non-statutory requirement for a paper copy of the Sequence Listing under 37 C.F.R. § 1.821(c), and further request that the computer-readable form of the Sequence Listing filed in this application be considered as the official Sequence Listing.

The Sequence Listing in this application is extremely large, and in paper form would be over 1000 pages in length. The preparation and filing of a paper Sequence Listing of this size would be logistically difficult and costly for Applicant, and the examination thereof by the U.S. Patent and Trademark Office is presumed to be inconvenient. Granting this Petition to suspend the requirement for a paper copy in this application would not create any undue burden on the U.S. Patent and Trademark Office.

Our Check No. 331069 in the amount of \$130.00 in payment of the required fee (37

C.F.R. § 1.17(h)) is enclosed herewith. The U.S. Patent and Trademark Office is hereby

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authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038. A duplicate copy of this petition is enclosed.

Respectfully submitted,



Lawrence M. Lavin, Jr. (Reg. No. 30,768)
by David R. Marsh (Reg. No. 41,408)

Date: July 13, 2000

Patent Department, E2NA; Monsanto Company
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